IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.CJ.

APPEAL NO.639 OF 2006
IN
NOTICE OF MOTION NO.250 OF 2006
IN
SUIT NO.133 OF 2006

Jasvant Amrutlal Parikh .. Appellant
v/s.
Hill Point Investment & Finance Limited
and others .. Respondents

Mr. Shailesh Shah with Mr. N.C. Parekh i/by M/s. Mansukhlal Hiralal & Co. for the Appellant.

Mr. S.C. Gupte with Mr. Mannadiar i/by M/s. Mannadiar & Co. for the respondents.

CORAM : R.M.LODHA &
S.A.BOBDE, JJ.

DATED : 12TH SEPTEMBER, 2006.

P.C.

We heard Mr. Shailesh Shah, the counsel for the appellant.

2. The appellant miserably failed to show to the learned motion Judge the existence of oral agreement between the parties for sale of shares. Nothing has been shown to us which may persuade us to hold prima facie that there was oral agreement between the parties regarding sale of shares.

3. The plaintiff has failed to show any prima facie case. Appeal has no merit and is dismissed in limine.

(R.M.LODHA, J.)

(S.A.BOBDE, J.)